REMARKS/ARGUMENTS

The office action of May 20, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-37 remain in this application. Claims 35 and 37 have been amended to correct minor errors and further clarify the subject matter Applicants regard as their invention. The basis for these amendments can be found in the specification and drawings as originally filed.

Claims 35 and 37 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 35 and 37 have been amended to more particularly define the claimed subject matter. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Claims 1-34 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 6,507,351 to Bixler (Bixler). Applicants respectfully traverse these rejections.

As discussed below, Bixler clearly teaches the use of a single screen saver program to *acquire, organize and display* different types of data associated with other programs *without executing* the other programs. As such, Bixler fails to teach the subject matter of independent claims 1, 14, 24, 29 and 34 pertaining to executing an application in a screen saver mode that is independent of the screen saver program. Further, Bixler teaches away from activating multiple applications in order to access or display different types of data in a screen saver mode.

As indicated in the Interview Summary for the Examiner interview of March 24, 2003, claims 1, 14, 24, 29 and 34 were previously amended in the Amendment filed April 16, 2004 to "recite the application screen saver modes within each specific application as opposed to the modules in Bixler." Each one of independent claims 14, 24, 29 and 34 presently recite that an application handle is selected by means of a screen saver program to execute an application in a screen saver mode, and that the screen saver program is an independent program from the application. Claim 1 recites execution of an application in the screen saver mode based on instructions from a screen saver program and that the application is a program independent from the screen saver program. As recited in independent claims 1, 14 and 34, the application creates images for presentation on a display screen in the screen saver mode.

The system of Bixler is clearly directed to a *single* software utility program for "*acquiring, organizing and displaying* selected information in a convenient and automatic manner ... ." Emphasis added. Bixler, col. 2, lines 12-13. As such, in the Background of the invention section, Bixler *teaches against* the use of multiple programs to display disparate types of data. For instance, Bixler states in the Background section that the use of multiple programs "presents a problem in that the user must routinely reactivate each individual software utility application each time access or display of particular information is desired." Bixler, col. 1, lines 55-58.

To overcome the identified problem, Bixler provides "a computer program product and software utility application ... that operates as a 'screen saver' type application that allows a user to integrate and display a variety of different types of information acquired from a variety of local and remote sources such as, for example, e-mail, personal appointment reminder and calendar applications, task-scheduling applications and other conventional software utility applications." Bixler, col. 2, lines 30-39. The Office Action correctly points out that the data sources used by the screen saver utility program of Bixler *may be compiled by other programs*, and points to the example of photos generated by a graphic/photo editing software application that is independent of the screen saver program. In other words, Bixler teaches that the screen saver utility program may *retrieve* data associated with other programs, but *without executing* the programs. Thus, Bixler does not teach the subject matter of *execution of an application in a screen saver mode*, which is independent of the screen saver program, as recited in claims 1-37.

Instead, the screen saver utility program of Bixler *itself acquires, organizes and displays* the data, which may have been compiled by another application, rather than executing another application in a screen saver mode to acquire or display the data. An illustration of this principle provided by Bixler is a scenario in which a single page displays "information compiled by different utility programs." Bixler, col. 3, lines 35-36. In this example, Bixler states, "multiple e-mail programs can be identified and information from multiple programs can be displayed on a single or sequential display page(s). In this way, a user can monitor e-mail from various sources *without having to activate separate e-mail programs*." Emphasis added. Bixler, col. 3, lines 38-42.

Columns 9-11 of Bixler and the associated Figs. 5A-5D further describe Bixler embodiments in which the screen saver utility application acquires, organizes and displays data of various types without activating separate programs associated with the data. In these embodiments, the interface modules of Bixler (shown together in Fig. 1) permit the screen saver utility program to retrieve and display various types of data files. Note steps 507 and 508 of Fig. 5A, step 525 and 526 of Fig. 5C, steps 536 and 537 of Fig. 5D, and the associated discussions in columns 9-11, which clearly teach that the screen saver program of Bixler (of which the modules are a part) acquires and displays the data or files, which may have been compiled from various applications, and that the screen saver program is deactivated prior to activating another application associated with the data being displayed.

Bixler relies on the interface modules of Figs. 5A-5D to interface with specific types of files to permit the screen saver program to display images. As noted in Bixler, "[e]ach of the described interface modules is 'modular' in the sense that it may be omitted *from the control program* if the particular type of information or data *for which it is tailored to interface* is not desired." Emphasis added. Bixler, col. 9, lines 25-28. For instance, in the example of Fig. 5D, Bixler teaches that, based on setup criteria previously entered, the screen saver utility program "is used *to access and retrieve* the various external e-mail, appointment, or task *data* in step 533. ... This information *is stored* in the external e-mail, appointment or task programs and *is accessed for display* in the pre-selected sequence, as defined in the program set-up module." Bixler, col. 10, lines 37-46. Thus, Bixler teaches that the screen saver utility program accesses data stored in the other programs, but does not teach or suggest activating or executing these other programs. As correctly stated in the Office Action at page 5, "the screen saver program [of Bixler] will run even without the at least one application (i.e., it is not dependent on the application)." This is because the screen saver program of Bixler accesses data associated with other applications, but does not rely on executing the other applications to display images associated with the data.

Although Bixler teaches accessing data stored in these other programs and teaches that the screen saver utility program may display information "compiled by conventional utility programs" (col. 5, line 63) via an interface module, it does not teach the subject matter of claims 1-34 pertaining to execution of an application independent from the screen saver program in a

screen saver mode. For example, Bixler does not teach or suggest the subject matter of "*executing* the application *in the screen saver mode*" as recited in independent claims 1, 14, 24, 29 and 34. Accordingly, Applicants respectfully submit that claims 1-34 are allowable over the prior art of record.

In addition, as to claims 1, 14 and 34 (and claims 2-13 and 15-23 depending therefrom), Bixler fails to teach that an application independent from the screen saver program creates images for presentation on the display screen in the screen saver mode as recited in these claims. As discussed above and as illustrated in Figs. 5A-5D, the "system ['provided as a software utility program' (Bixler, col. 2, lines 47-48)] operates in a 'screen saver' mode wherein selected information stored locally or contained in the database is sequentially displayed ..." Bixler, col. 3, lines 5-7. In other words, the software utility program of Bixler operating in a screen saver mode creates the displays, rather than the applications associated with the data type.

Thus, Bixler does not teach the subject matter of an application independent from the screen saver program creating images, as recited in independent claims 1, 14 and 34. In particular, Bixler does not teach the subject matter of "the application creating an image for presentation on a display screen in the screen saver mode" as recited in claims 1, 14 and 34. Accordingly, Applicants respectfully submit that claims 1, 14 and 34, and claims 2-13 and 15-23 depending therefrom, are allowable over the prior art of record.
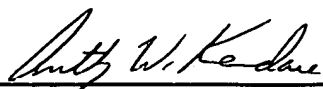
If for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3244.

Respectfully submitted,

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